

**REMARKS**

Applicants have carefully reviewed the application in light of the Office Action mailed January 21, 2011 ("*Office Action*"). Claims 1-11 and 15-23 are pending and rejected in this application. Applicants respectfully request reconsideration and favorable action of all pending claims in view of the following.

**Statements relating to 35 U.S.C. § 101**

Regarding Claims 1, 9, 10, and 23, the *Office Action* notes that Claims 1, 9, 10, and 23 recite a "machine-readable non-transitory medium" and that Claims 21 and 22 recite a "non-transitory program storage device." With regard to each claim, the *Office Action* states that "[i]n the absence of any other modifying disclosure of this limitation in the specification, the [claim term] is limited to statutory embodiments only such that it satisfies the terms of 35 U.S.C. § 101." (*Office Action*, pages 2-4). Applicants respectfully submit that the identified claim language is statutory and should be interpreted in a manner that complies with controlling authority.

**Section 103 Rejections**

Claims 1-11 and 15-23 are rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Publication No. 2002/0143755 to Wynblatt et al ("*Wynblatt*") further in view of U.S. Patent 6,219,708 to Martenson ("*Martenson*"). Applicants respectfully request reconsideration for the following reasons.

Independent Claim 1 in the present application, as currently and previously presented, recites:

An apparatus for network management in a heterogeneous environment, comprising:

a relational interface embodied in a machine-readable non-transitory medium and when executed by an electronic processor configured to receive a relational query from a software application requesting network management information from a specified network device, the network management information including interface information allowing the software application to monitor, control, and configure devices on a network remotely via the network;

a relational mapper embodied in a machine-readable non-transitory medium and configured to translate the relational query requesting network management information received through the relational interface from the software application, to native protocol

messages according to an access protocol associated with the network device;

a plurality of handlers embodied in a machine-readable non-transitory medium, the plurality of handlers comprising an HTTP handler, an SNMP handler, and a Telnet handler; and

a protocol transaction handler embodied in a machine-readable non-transitory medium and configured to select a handler from the plurality of handlers according to the access protocol associated with the network device, wherein the selected handler is configured to:

handle the native protocol messages as a transaction with the network device,

return a result of the transaction to the software application;

and

extract the interface information from the result of the transaction by applying a filter, the filter selected based on the network device and a vendor associated with the network device, the filter compatible with a proprietary data organization associated with the vendor.

Applicants respectfully submit that the proposed *Wynblatt-Martenson* combination does not disclose, teach, or suggest each and every element recited in Claim 1.

For example, the proposed *Wynblatt-Martenson* combination does not disclose “a plurality of handlers” and/or “select[ing] a handler from the plurality of handlers according to the access protocol associated with the network device,” as recited in Claim 1. The *Office Action* acknowledges that *Wynblatt* does not disclose the recited claim elements and instead relies upon *Martenson*. (*Office Action*, pages 7-8). Applicants respectfully note, however, that, though *Martenson* discloses that “a number of existing protocols and languages are available for the system to manage the network resource”, *Martenson* does not disclose a plurality of handlers. Rather, *Martensen* discloses:

The network module 400 contains a native resource instruction library 410 which is a compilation of the native resource instructions used by a particular network resource. Instruction module 420 translates messages from the client, received over the network, into native resource instructions.

(*Martenson*, Col. 3, line 63 through Col. 4, line 1). Thus, *Martenson* merely discloses a single instruction module that translates messages. *Martenson* makes further clear that “[t]he message is interpreted by the instruction module 420 by comparing the message with the native resource instruction library 410 which is a compilation of the functions and operations

associated with the network resource.” (*Martensen*, Col. 4, lines 21-25). As such, instruction module 420 just compares an option to a library of options. *Martenson* and the proposed *Wynblatt-Martenson* combination does not disclose, teach, or suggest “a plurality of handlers” and/or “select[ing] a handler from the plurality of handlers according to the access protocol associated with the network device,” as recited in Claim 1.

As another example, Applicants respectfully submit that the proposed *Wynblatt-Martenson* combination does not disclose, teach, or suggest that “the selected handler is configured to . . . extract the interface information from the result of the transaction [that is returned to the software application] by applying a filter, the filter selected based on the network device and a vendor associated with the network device, the filter compatible with a proprietary data organization associated with the vendor,” as recited in Claim 1. Again, the *Office Action* acknowledges that *Wynblatt* does not disclose the recited claim elements and instead relies upon *Martenson*. (*Office Action*, pages 7-8). As discussed above, however, *Martenson* merely discloses that “instruction module 420 translates messages from the client, received over the network, into native resource instructions.” (*Martenson*, Col. 3, line 63 through Col. 4, line 1). Specifically, *Martenson* discloses that “[t]he message is interpreted by the instruction module 420 by comparing the message with the native resource instruction library 410 which is a compilation of the functions and operations associated with the network resource.” (*Martensen*, Col. 4, lines 21-25). As such, instruction module 420 just compares an option to a library of options. There is no disclosure in *Martenson* that the instruction module applies a filter to the result to extract the interface information. Likewise, though *Martenson* discloses generally that “a number of existing protocols and languages are available” (*Martenson*, Col. 3, lines 44-47), *Martenson* does not address the problem of vendors having proprietary data organization or discuss filters that are compatible with a vendor. Accordingly, *Martenson* and the proposed *Wynblatt-Martenson* combination does not teach, disclose, or suggest “the selected handler is configured to . . . extract the interface information from the result of the transaction [that is returned to the software application] by applying a filter, the filter selected based on the network device and a vendor associated with the network device, the filter compatible with a proprietary data organization associated with the vendor,” as recited in Claim 1.

Accordingly, for at least these additional reasons, Applicants respectfully submit that Independent Claim 1 and its dependents are allowable. Independent Claims 9, 10, 11, 21, 22, and 23 and their dependents are allowable for analogous reasons.

**No Waiver**

All of Applicant's arguments are without prejudice or disclaimer. Applicant reserves the right to discuss the distinctions between the applied art and the claims in a later Response or on Appeal, if appropriate. By not responding to additional statements made by the Examiner, Applicant does not acquiesce to the Examiner's additional statements. The example distinctions discussed by Applicant are sufficient to overcome the rejections.

**Request for Evidentiary Support**

Should any of the above asserted rejections be maintained, Applicant respectfully requests appropriate evidentiary support. Additionally, if the Examiner is relying upon "common knowledge" or "well known" principles to establish a rejection, Applicant requests that a reference be provided in support of this position pursuant to M.P.E.P. § 2144.03. Furthermore, to the extent that the Examiner maintains any rejection based on an "Official Notice" or other information within the Examiner's personal knowledge, Applicant respectfully requests that the Examiner cite a reference as documentary evidence in support of this position or provide an affidavit in accordance with M.P.E.P. § 2144.03 and 37 C.F.R. 1.104(d)(2).

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CONCLUSION

Applicants have made an earnest attempt to place this Application in condition for allowance. For the foregoing reasons, and for other reasons clearly apparent, Applicants respectfully request reconsideration and full allowance of all pending claims.

If the Examiner feels that a telephone conference would advance prosecution of this Application in any manner, the Examiner is invited to contact Jenni R. Moen, Attorney for Applicants, at the Examiner's convenience at (214) 415-4820.

No fee is believed to be due. However, the Commissioner is hereby authorized to charge any other fees or credits to Deposit Account No. 02-0384 of Baker Botts L.L.P.

Respectfully submitted,  
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